IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 26TH NOVEMBER 2007 / 5TH AGRAHAYANA 1929

Bail Appl..No. 7207 of 2007()

[CR.NO.67/07 OF WADAKKANCHERY EXCISE RANGE]

: APPLICANT/ACCUSED

KUTTAPPAN, S/O. THANKAPPAN,
POZHAMKKANDATH HOUSE, CHITTANDA VILLAGE AND DESOM,
THALAPPILLY TALUK.

BY ADV. SRI.P.VIJAYA BHANU
SRI.M.REVIKRISHNAN

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 26/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

B.A.No.7207 of 2007

Dated this the26th day of November 2007

O R D E R

Application for regular bail. The petitioner faces allegations under the Kerala Abkari Act. The petitioner was allegedly found to be in possession of 5 litres of arrack on 8/11/2007. He was arrested and continues in custody from that date. The learned Public Prosecutor submits that the petitioner has as many as four other crimes under the Kerala Abkari Act registered against him earlier.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer on condition that the investigating officer is granted reasonable further time to complete the investigation and I am satisfied that regular bail can be granted to the petitioner subject to appropriate conditions.

3. In the result, this petition is allowed. The petitioner shall be enlarged on bail on the following terms and conditions:

i) The petitioner shall not be released on bail on the strength of this order prior to 07/12/2007. The investigating officer shall, in the meantime, make every endeavour to complete the investigation.

ii) He shall execute a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

iii) The petitioner shall make himself available for interrogation before the investigating officer between 10 a.m and 12 noon on all Mondays and Fridays for a period of two months from the date of his release and thereafter as and when directed by the investigating officer in writing to do so.

(R.BASANT, JUDGE)

jsr

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007